

House of Representatives

Chamber Action

Bills Introduced: 10 public bills, H.R. 4025–4034, were introduced. Pages H4478–79

Reports Filed: Reports were filed as follows:

H.R. 2742, to provide for the transfer of public lands to certain California Indian Tribes, amended (H. Rept. 105–575); and

H. Res. 465, providing for consideration of H.R. 2888, to amend title 18, United States Code, with respect to violent sex crimes against children (H. Rept. 105–576). Page H4478

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Solomon to act as Speaker pro tempore for today. Page H4333

Recess: The House recessed at 9:03 a.m. and reconvened at 11:00 a.m. Page H4333

Joint Meeting to receive His Excellency Kim Dae-Jung, President of the Republic of South Korea: It was made in order that the proceedings conducted during the recess be printed in the Record. Pages H4333–36

Bankruptcy Reform Act: The House passed H.R. 3150, to amend title 11 of the United States Code by a recorded vote of 306 ayes to 118 noes, Roll No. 225. Pages H4354–S4443

Rejected the Conyers motion that sought to recommit the bill to the Committee on the Judiciary with instructions to report back forthwith with amendments that revise the needs-based bankruptcy section to exclude support of a child, alimony, or support paid to a spouse or former spouse and adds a section for protection against reaffirmation agreements adversely affecting child support (rejected by a recorded vote of 153 ayes to 270 noes, Roll No. 224). Pages H4440–42

Agreed To:

The Gekas amendment that ensures that a debtor who is disqualified from obtaining relief under chapter 7 by virtue of the bill's need-based formula is not disqualified from relief under chapter 11; makes revisions relating to debt counseling and financial management provisions; limits amount of a debtor's homestead to prevent manipulation of the provision to the disadvantage of homeowners; adds safeguards to fee examiner appointments and creditor's committee membership; revises section to accord more protection to recording artists; and clarifies that the Advisory Committee on Bankruptcy Rules of the Judi-

cial Conference of the United States will establish rules and forms for small business debtors; Pages H4394–97

The Boucher amendment that expands the definition of "household goods" to include personal property that is necessary for the support of a dependent child; and moves child support, alimony, and marital dissolution obligations from seventh priority to first priority during bankruptcy proceedings; Pages H4398–H4400

The Shaw amendment, as modified, that requires credit card companies who obtain payments from parents who owe past-due child support to distribute the payment to parents and children who are entitled to priority under the bill; Pages H4400–02

The Gekas amendment that prohibits the conversion of non-exempt assets into exempt homestead property within 1 year of filing for bankruptcy (agreed to by a recorded vote of 222 ayes to 204 noes, Roll No. 221); Pages H4404–06, H4438–39

The Velázquez amendment that requires the Executive Office of U.S. Trustees and Administrative Office of the U.S. Courts to conduct a study of the causes of small business bankruptcies; Pages H4407–08

The Baldacci amendment that directs the Comptroller General to conduct a study of the impact on the nation's bankruptcy rate due to the extension of credit to students enrolled in post-secondary education programs who are claimed as dependents for tax purposes by their parents or legal guardians; Pages H4408–09

Rejected:

The Nadler amendment that sought to modify the small business subtitle; restore the right to count debt as disposable income; strike paperwork and bureaucratic burdens and rigid deadlines which are not otherwise imposed on larger businesses; and strike provisions which allow a creditor to violate the automatic stay; prohibit a small business from filing a new petition for two years after a case was dismissed; and require a successor entity to bring forward a plan capable of confirmation in order to file the case (rejected by a recorded vote of 136 ayes to 290 noes, Roll No. 219); Pages H4397–98, H4436–37

The Delahunt amendment that sought to authorize the Judicial Conference of the United States to reduce disbursements to unsecured nonpriority creditors payable in Chapter 13 cases to cover the increased costs to the courts and the U.S. Trustees Office of implementing and administering the means testing system (rejected by a recorded vote of 149 ayes to 278 noes, Roll No. 220); Pages H4402–03, H4437–38

The Paul amendment that sought to reorder tax priorities for debt repayment to repay local governmental units first, then state governmental units, then Federal governmental units; **Pages H4403–04**

The Scott amendment that sought to eliminate Section 212 and maintain current law relating to recording artists and the discharge of obligations under service contract agreements with recording companies (rejected by a recorded vote of 111 ayes to 316 noes, Roll No. 222); and

Pages H4406–07, H4439

The Nadler amendment in the nature of a substitute that sought to delete the one size fits all means test; strengthen procedure under current law for dismissal of a case for abuse of chapter 7; restore existing priorities among creditors; protect alimony and child support; revise small business subtitle to be consistent with recommendations of the National Bankruptcy Conference and the Small Business Administration; and ensure that government including the IRS cannot harass debtors (rejected by a recorded vote of 140 ayes to 288 noes, Roll No. 223).

Pages H4409–36, H4439–40

The Clerk was authorized in the engrossment of the bill to make corrections and conforming changes to the bill. **Pages H4442–43**

H. Res. 462, the rule that provided for consideration of the bill was agreed to by a yeas and nays vote of 251 yeas to 172 nays, Roll No. 218. Agreed to order the previous question by a yeas and nays vote of 236 yeas to 183 nays, Roll No. 217.

Pages H4338–54

Earlier, a point of order was raised against the rule under Section 425 of the Congressional Budget Act of 1974, regarding unfunded mandates. Pursuant to Section 426 of the Congressional Budget Act, the House agreed to consider H. Res. 462, by a yeas and nays vote of 248 yeas to 166 nays, Roll No. 216.

Pages H4339–43

Constitutional Amendment to Limit Campaign Spending: The House completed debate on H.J. Res. 119, proposing an amendment to the Constitution of the United States to limit campaign spending. The record vote on final passage was postponed, and consideration of the joint resolution will resume on June 11.

Pages H4443–65

Res. 442, the rule that is providing for consideration of the joint resolution was agreed to on May 21.

Sales Incentive Compensation Act: The House completed debate on H.R. 2888, to amend the Fair Labor Standards Act of 1938 to exempt from the minimum wage recordkeeping and overtime compensation requirements certain specialized employees.

Pages H4466–75

Agreed To:

The Fawell amendment that specifies that employee sales that are predominantly to persons or entities to whom the employee's position has made previous sales or the position does not involve initiating sales contacts; and

Page H4474

The Andrews amendment that specifies that an employee, rather than the position, has detailed understanding of the needs of those to whom the employee is selling and the employee exercises discretion in offering a variety of products and services.

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Vote Postponed:

The Owens amendment that seeks to require the employee's consent to work any hours in excess of 40 in any workweek or 8 in any day was debated and a recorded vote was postponed.

Pages H4474–75

Agreed by unanimous consent that during further consideration of H.R. 2888, in the Committee of the Whole pursuant to the rule, after the legislative day of today, June 10, no further debate or amendments to the committee amendment in the nature of a substitute shall be in order.

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H. Res. 461, the rule that is providing for consideration of the bill was agreed to earlier by a voice vote.

Pages H4465–66

Senate Messages: Message received from the Senate today appears on page H4335.

Referrals: S. 1531, to deauthorize certain portions of the project for navigation, Bass Harbor, Maine was referred to the Committee on Transportation and Infrastructure.

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Amendments: Amendments ordered printed pursuant to the rule appear on pages H4479–80.

Quorum Calls—Votes: Three yeas and nays votes and seven recorded votes developed during the proceedings of the House today and appear on pages H4342–43, H4353, H4353–54, H4437, H4437–38, H4438, H4439, H4439–40, H4441–42, and H4442. There were no quorum calls.

Adjournment: Met at 9:00 a.m. and adjourned at 12:12 a.m. on Thursday, June 11.

Committee Meetings

METHYL BROMIDE PHASE OUT

Committee on Agriculture: Subcommittee on Forestry, Resource Conservation, and Research held a hearing to review the phase out of methyl bromide. Testimony was heard from Representatives Thomas, Herger and Miller of Florida; Paul Stolpman, Director, Office of Atmospheric Programs, Office of Air and Radiation, EPA; Keith Pitts, Special Assistant to the Deputy Secretary, USDA; and public witnesses.